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# FACTSHEET

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

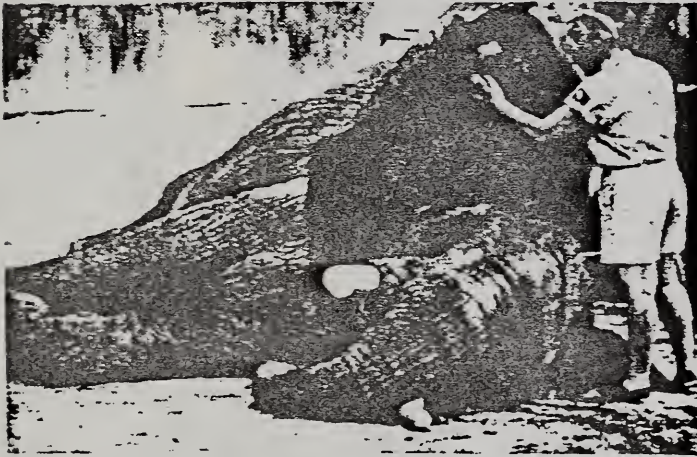
March 1995

## *Regulatory Enforcement and Animal Care*

### Animal Exhibitors

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) enforces the Animal Welfare Act (AWA), which is Federal legislation that ensures the humane care and treatment of certain animals that are exhibited to the public.

When Congress amended the AWA in 1970, coverage under the Act was extended to warmblooded animals exhibited to the public. APHIS' Regulatory Enforcement and Animal Care (REAC) program ensures that exhibitors comply with the AWA, its standards, and its regulations through licensing or registration and regular inspections.



#### Regulated Animal Exhibitors

Individuals who have warmblooded animals on display or animals that perform for the public must be licensed or registered as exhibitors with APHIS. Licensed or registered exhibitors include circuses, roadside animal exhibits, zoos, petting zoos, animal acts, wildlife parks, nature preserves, game farms, and marine mammal parks.

#### Exempted Animal Exhibitors

The AWA exempts certain animal exhibits from Federal regulation. Those who exhibit farm animals in agricultural events are not required to be licensed or registered. Pet shows, dog races, horse shows and races, and rodeos also are exempted from regulation under the AWA. Animal preserves that keep wild animals are exempted from coverage provided that the facility does not publicly exhibit or use the animals for promotional purposes. Exhibitors

showing only coldblooded animals, such as fish and reptiles, are exempt from regulation under the AWA.

#### The AWA Requirements

APHIS requires licensed or registered exhibitors to provide their animals with adequate care and treatment in the areas of housing, handling, transportation, sanitation, nutrition, water, veterinary care, and protection from extreme weather and temperatures.

#### Recordkeeping

Licensed or registered exhibitors must maintain on their premises accurate records of the animals that come into their possession and of the veterinary care the animals receive. This information must be made available to APHIS during inspection.

#### Safety Measures

Exhibitors must minimize possible harmful risks to the public and to the animals during public exhibition by providing sufficient distance or barriers between the animals and the public.

When animals are in direct contact with the public, a knowledgeable and responsible attendant must be present. During public exhibition, dangerous animals, such as lions, tigers, bears, and elephants, must be under the direct control of an experienced trainer.

#### Proper Handling

According to requirements under the AWA, animals must be exhibited only for set periods of time and under conditions consistent with their health and well-being. Exhibitors must handle animals carefully and humanely to prevent unnecessary stress or discomfort.

Among other requirements, performing animals must be given a rest period between shows that is at least as long as one performance. The AWA also forbids exhibitors from denying animals their daily nutritional and dietary requirements as a way of training or working them. Young or immature animals must not be exposed to rough public handling or exhibition. Exhibitors must not physically abuse animals while training or working them or use tranquilizing drugs to facilitate public handling of the animals.

#### AWA Enforcement

APHIS ensures that regulated exhibitors are licensed or registered. APHIS also conducts searches for unlicensed or unregistered exhibitors.



Before APHIS will issue a license or registration, the applicant must be in compliance with all standards and regulations under the AWA. To ensure that all licensed or registered facilities continue to comply with the Act, APHIS inspectors make unannounced inspections. Traveling exhibits are required to submit their performance schedules to APHIS in advance so that APHIS inspectors may regularly inspect their premises at any location.

APHIS officials also conduct inspections of licensed and registered exhibitors in response to public concern about possible animal welfare violations.

If an inspection reveals deficiencies in meeting the AWA standards and regulations, the inspector instructs the exhibitor to correct the problems within a given timeframe. If problems remain uncorrected at the unannounced followup inspection, APHIS documents the deficiencies and considers possible legal action.

APHIS also conducts reviews and investigates alleged violations. Some cases are resolved with a notice of warning or a stipulation agreement, which sets civil penalties for the infractions. Civil penalties include cease-and-desist orders, fines, and license suspension or revocation. If APHIS officials determine that an alleged AWA violation warrants additional action, APHIS submits all evidence to USDA for legal review.

Many State and local governments have passed additional animal welfare legislation. The public is encouraged to work with Federal, State, and local officials as well as local humane organizations to help eliminate inhumane treatment of animals.

For more information about regulation of animal exhibitors under the AWA, write to:

REAC  
APHIS, USDA  
4700 River Road, Unit 84  
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